

REMARKS

Discussion of 103 Rejections

1 and 6 are rejected under 35 U.S.C. § 103(a) as being unpatentable over US Patent No. 3946733 to Han (hereinafter 'Han').

Applicant does not agree with the Examiner.

However, Applicant has amended Claim 1 in order to clarify the inventive points of the invention.

Claim 1 (*Emphasis added*)

1. A cupping and moxibustion device for assisting traditional East-Asian medicine, which includes a moxa pot located on the upper portion for containing moxa therein, a moxibustion part formed on the lower portion to communicate with the moxa pot, and a cupping part divided from the upper portion and the moxibustion part and located around the moxibustion part, comprising:

a) a body having a seat formed therein for seating the moxa pot inside the body and a smoke discharge hole formed on a side thereof, the smoke discharge hole being located below the seat and above the moxibustion part to communicate with the moxa pot;

b) a lid combined with the upper portion of the body and having an air suction hole communicating with the

moxibustion part when it is combined with the body; and

c) an air pump connected with the air suction hole to supply air into the body, whereby moxa contained in the moxa pot is burned when the air pump is operated and the air is forcibly induced into the body, at which time, heat and smoke of the moxa are moved downwardly toward the moxibustion part, and then, discharged to the outside through the smoke discharge hole,

wherein the air pump is connected to the air suction hole and an air suction pipe, and a valve is mounted on the air suction pipe, whereby an amount of the air supplied into the body can be controlled,

wherein the seat located on the upper portion of the body to catch the moxa pot therein, and moxibustion part and the cupping part respectively located on the lower portion are formed integrally in such a way as to form the body, and the moxibustion part and the cupping part are divided by the inner wall,

wherein the moxibustion part comprises a lower end and the cupping part comprises a lower end, wherein the lower end of the moxibustion part and the lower end of the cupping part are in a same plane, such that two different pressures are applied to a portion of skin of a patient under the moxibustion part and another portion of skin under the cupping part at the same time, and the cupping part keeps a cupped space enclosed by the cupping part and the skin in a controllable low pressure so as to remove stagnated blood due to abnormalities in circulation under the skin.

Claim 1 is directed to a cupping moxa utensil which can carry out moxibustion AND cupping treatment at the same time. For that, the lower portion of the body (10) is divided into two separate parts; a moxibustion part (24) and a cupping part (25) by an inner wall (23). The

moxibustion part (24) is opened to the moxa pot (10), while the cupping part (25) is closed at the upper end.

The inner wall (23) extends downward, such that the lower end of the moxibustion part (24) and the lower end of the cupping part (25) are in a same plane, so as to define two separate and isolated spaces enclosed by skin of a patient and the moxibustion part (24) and the cupping part (25). Then, two separate and isolated spaces are applied with two different pressures to treat corresponding portions of the skin of the patient concurrently. Especially, the cupped space, that is, the separate and isolated space, enclosed by the cupping part (25) and the corresponding skin portion of the patient, is applied with a pressure lower than the atmospheric pressure for treatment.

In contrast, Han's moxibustion apparatus does not teach anything about two separate parts; moxibustion and cupping. The treatment opening (56) is a single hole, which is NOT divided so as to define two separate and isolated spaces along with skin of a patient.

The rim (44) does NOT reach all the way down to the lower end of the treatment opening (56) as shown in Fig. 2. Therefore, there is NO such a thing as a cupping part of the invention.

Furthermore, there is NO opening and closing unit (40) and associated air discharge hole (26) for controlling a pressure of the cupped space under the cupping part (25).

Han's outlet fitting (28) is NOT like an air discharge hole of the invention. An equivalent element of the outlet fitting (28) is the smoke discharge hole (22) of the invention. (See Fig. 2 of the invention)

In Han's device, there is no separate cupping part, and therefore it is NOT possible for Han's device to have an air discharge hole for maintaining the pressure inside a cupped space under the separate cupping part differently from that of all-connected combustion chamber interior (48).

In addition, the air suction hole (31) is at a top portion of the lid (30), and the smoke discharge hole (26) is disposed at an outer wall of the body (20) in the invention, while in Han's device, they are all located at outer wall of the chamber (12).

Applicant respectfully request withdrawal of the rejections.

CONCLUSION

The applicant believes that the rejections were obviated by the amendment of claims, and the application is now in condition for allowance: therefore, reexamination, reconsideration and allowance of the claims are respectively requested. If there are any additional comments or requirements from the examination, the applicant asks for a non-final office action.

The Commissioner is hereby authorized to charge payment of any additional fees associated with this communication, or credit any over-payment to Deposit Account No. 16-0310.

Respectfully submitted,



Choongseop Lee
USPTO Registration No. 57,051
PARK LAW FIRM
3255 Wilshire Boulevard, Suite 1110
Los Angeles, California 90010
(213) 389 – 3777

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